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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,535	08/04/2000	Eric Edwards	080398.P368	1757
7590 Sheryl Sue Holloway Blakely Sokoloff Taylor & Zafman LLP 12400 Wilshire Boulevard 7th Floor Los Angeles, CA 90025			EXAMINER KE, PENG	
			ART UNIT 2174	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/632,535

Applicant(s)

EDWARDS ET AL.

Examiner

Peng Ke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3 - 24, 27 - 28, 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3 - 24, 27 - 28, and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is in response to Amendment, filed 11/21/06.

Claims 1, 3 – 24, 27 – 28, and 30 are pending in this application. In the Amendment, claims 1, 14, 22, and 28 were amended and claims 2 and 26 were cancelled.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claims 14-21 are rejected because the claimed invention is directed to non-statutory subject matter. Claims recite a computer readable media as a carrier wave, which has been determined to be non-statutory.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3 – 6, 9, 10, 14 – 18, 22 – 24, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dabney et al., U.S. Patent No. 6,643,663 in view of Hanson et al., U.S. Patent No. 6,457,045, further in view of Fette et al. US Patent No. 6,052,600 further in view of Lang et al. US Patent No. 5,867,799

As per claim 1, Dabney et al. teaches a computerized method for creating a story by multiple collaborators being on-line users supplying content associated with a story concept comprising:

receiving the story concept for the story (see Dabney et al., column 5, lines 60 – 65; the examiner interprets news story data as a story concept);

making the story concept available for online access by multiple collaborators (see Dabney et al., column 5, lines 60 – 65);

determining if the content from each of the multiple collaborators is approved for the story (see Dabney et al. column 5, line 63 – column 6, line 3); and

creating the story from the content that is approved (see Dabney et al. column 5, line 63 – column 6, line 3).

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However, Dabney fails to teach the approval of the book is based on the votes received online through a wide area network connection from at least a subset of the multiple collaborators.

Hanson teach the approval of the book is based on the votes received online through a wide area network connection from at least a subset of the multiple. (column 2, lines 64 –column 3, lines 48)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Hanson with the method of Dabney et al. in order to create a system for making choices among a group of participants.

However, both Debney and Hanson fail to teach deleting the content if the multiple collaborators have failed to approve the content.

Fette teaches removing the content that is not approved. (column 9, lines 50-56)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Fette with the method of Dabney and Hason in order to free up storage space on the server.

However, Dabney Hanson, and Fette fail to teach determine whether the story concept includes content that meets a predetermined criteria set by a party separate from the multiple collaborators and deleting the story concept if the content fails to meet the predetermined criteria.

Making the story concept available, if the content meets the predetermined criteria;

Lang teaches filtering information based on the content standard predetermined by the client or the community. (column 5, lines 1-40, column 18, lines, the process of filtering is the

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same process of determining whether the information includes the content that meets a predetermined criteria)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Lang with the method of Dabney, Hason and Fette in order to filter out information automatically based on the standard set by the users.

As per claim 3, which is dependent on claim 1, Dabney Hanson, Fette, and Lang the method of claim 1 (see rejection above). Dabney et al. further teach determining if the content meets pre-determined criteria; and deleting the content if it does not meet the predetermined criteria (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 4, which is dependent on claim 1, Dabney Hanson, Fette, and Lang the method of claim 1 (see rejection above). Dabney et al. further teach the method comprising: publishing the story online for public viewing (see Dabney et al., column 6 lines 7 – 12).

As per claim 5, which is dependent on claim 1, Dabney Hanson, Fette, and Lang the method of claim 1 (see rejection above). Dabney et al. further teach the method comprising: publishing the story online for private viewing (see Dabney et al., column 5, line 65 – column 6, line 7).

As per claim 6, which is dependent on claim 1, Dabney Hanson, Fette, and Lang teach the method of claim 1 (see rejection above). Dabney et al. further teach the method comprising: receiving a vote from an editor (see Dabney et al. column 6, lines 3 – 5; the examiner interprets the approval and storage of story data by an editor as receiving a vote from an editor).

As per claim 9, which is dependent on claim 1, Dabney Hanson, Fette, and Lang teach the method of claim 1 (see rejection above). Fette et al. further teaches wherein the content is deleted automatically (see Fette et al., column 9, lines 50 – 56).

As per claim 10, which is dependent on claim 1, Dabney Hanson, Fette, and Lang teach the method of claim 1 (see rejection above). Dabney et al. further teach the method wherein the content received from one of the multiple collaborators is of a different type than content received from another one of the multiple collaborators (see Dabney et al., column 5, lines 63 – 64).

As per claim 14, Dabney et al. teach a computer-readable medium having computer-executable instructions to cause a server computer to perform a method comprising:

receiving a concept for a story (see Dabney et al., column 5, lines 60 – 65; the examiner interprets news story data as a story concept);

receiving content related to an element in a concept for a story from one of a plurality of collaborators coupled to the server computer (see Dabney et al., column 6, lines 3 – 12);

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receiving a decision on the content from an editor, the editor being chosen from the group consisting of the plurality of collaborators and an originator of the concept (see Dabney et al., column 5, line 63 – column 6, line 3 and column 6, lines 3 – 12); and

including the content in the story if the decision of the editor is to approve the content (see Dabney et al., column 5, line 63 – column 6, line 12; it is inherent that the content is included in the story after being approved by the news editors).

However, Dabney fails to teach the approval of the book is based on the votes received online through a wide area network connection from at least a subset of the multiple collaborators.

Hanson teaches the approval of the book is based on the votes received online through a wide area network connection from at least a subset of the multiple collaborators. (column 2, lines 64 –column 3, lines 48)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Hanson with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

However, both Dabney and Hanson fail to teach deleting the content if the multiple collaborators have failed to approve the content.

Fette teaches removing the content that is not approved. (column 9, lines 50-56)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Fette with the method of Dabney and Hanson in order to free up storage space on the server.

However, Dabney Hanson, and Fette fail to teach determine whether the story concept includes content that meets a predetermined criteria set by a party separate from a plurality of collaborators being on-line users supplying the content associated with the concept of the story and deleting the story concept if the content fails to meet the predetermined criteria.

Making the story concept available, if the content meets the predetermined criteria;

Lang teaches filtering information based on the content standard predetermined by a party separate from a plurality of collaborators being on-line users supplying the content associated with the concept of the story. (column 5, lines 1-40, column 18, lines, the process of filtering is the same process of determining whether the information includes the content that meets a predetermined criteria)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Lang with the method of Dabney, Hason and Fette in order to filter out information automatically based on the standard set by the users.

As per claim 15, which is dependent on claim 14, Dabney Hanson, Fette, and Lang teach the computer-readable medium of claim 14 (see rejection above). Dabney et al. further teach publishing the story online when all content for the concept is approved (see Dabney et al., column 6, line 3 – 12 and lines 20 – 24).

As per claim 16, which is dependent on claim 14, Dabney Hanson, Fette, and Lang teach the computer-readable medium of claim 14 (see rejection above). Dabney et al. further teach deleting the content if it does not meet pre-determined standards

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(see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 17, which is dependent on claim 14, Dabney Hanson, Fette, and Lang teach the computer-readable medium of claim 14 (see rejection above). Dabney et al. further teach receiving the concept for the story from the originator (see Dabney et al., column 5, line 63 – column 6, line 2).

As per claim 18, which is dependent on claim 17, Dabney Hanson, Fette, and Lang teach the computer-readable medium of claim 17 (see rejection above). Dabney et al. further teach making the concept available if it meets pre-determined standards (see Dabney et al., column 6, lines 3 – 5; it is inherent that when the news editors approve the story they are doing so by determining if it meets pre-determined standards).

As per claim 22, Dabney et al. teach a computerized system comprising:

- a processor;
- a memory coupled to the processor through a system bus;
- a computer-readable medium coupled to the processor through the system bus;
- and an online collaborative story process executed from the computer-readable medium by the processor

to cause the processor to receive a concept for an online story (see Dabney et al., column 5, lines 60 – 65; the examiner interprets news story data as a story concept) and

to post the concept online wherein the concept defines content for the story (see Dabney et al., column 5, lines 60 – 65),

to receive content for an online story from multiple collaborators (see Dabney et al., column 6, lines 3 – 12),

to receive a decision on the content from an editor (see Dabney et al., column 6, lines 3 – 12), and

to include the content in the story if the decision is to approve the content (see Dabney et al., column 5, line 63 – column 6, line 12; it is inherent that the content is included in the story after being approved by the news editors).

However, Dabney fails to teach the approval of the book is based on the votes received online through a wide area network connection from at least a subset of the multiple collaborators.

Hanson teaches the approval of the book is based on the votes received online through a wide area network connection from at least a subset of the multiple collaborators. (column 2, lines 64 –column 3, lines 48)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Hanson with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

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However, both Debney and Hanson fail to teach deleting the content if the multiple collaborators have failed to approve the content.

Fette teaches removing the content that is not approved. (column 9, lines 50-56)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Fette with the method of Dabney and Hason in order to free up storage space on the server.

However, Dabney Hanson, and Fette fail to teach determine whether the story concept includes content that meets a predetermined criteria set by a party separate from the collaborators being online user supplying the content associated with the concept and deleting the story concept if the content fails to meet the predetermined criteria.

Making the story concept available, if the content meets the predetermined criteria;

Lang teaches filtering information based on the content standard predetermined by the client or the community. (column 5, lines 1-40, column 18, lines, the process of filtering is the same process of determining whether the information includes the content that meets a predetermined criteria)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Lang with the method of Dabney, Hason and Fette in order to filter out information automatically based on the standard set by the users.

As per claim 23, which is dependent on claim 22, Dabney Hanson, Fette, and Lang teach the system of claim 22 (see rejection above). Dabney et al. further teach

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wherein the online collaborative story process further causes the processor to publish the story online (see Dabney et al., column 12, lines 15 – 18 and column 13, lines 1 - 5).

As per claim 24, which is dependent on claim 22, Dabney Hanson, Fette, and Lang teach the system of claim 22 (see rejection above). Dabney et al. further teach wherein the online collaborative story process further causes the processor to delete the content when the content does not satisfy pre-determined criteria (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 28, Dabney et al. teach a networked server system comprising:

- means for posting a concept for a story in a story concept area for access by a plurality of collaborators (see Dabney et al., column 5, lines 60 – 65 as well as column 13, lines 55 – 59 and column 14, lines 20 – 29)
- means for posting content associated with the story concept in a working content area, the content being received from the plurality of collaborators (see Dabney et al., column 5, line 63 – column 6, line 5);
- means for voting on the content in the online working content area (see Dabney et al., column 5, lines 3 – 5; the examiner interprets approving content as voting for the content); and

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means for publishing the content approved by the means for voting in a published story area to create the story (see Dabney et al., column 6, lines 3 – 12).

However, Dabney fails to teach the approval of the book is based on the votes received online through a wide area network connection from at least a subset of the multiple collaborators.

Hanson teaches the approval of the book is based on the votes received online through a wide area network connection from at least a subset of the multiple collaborators. (column 2, lines 64 –column 3, lines 48)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Hanson with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

However, both Debney and Hanson fail to teach deleting the content if the multiple collaborators have failed to approve the content.

Fette teaches removing the content that is not approved. (column 9, lines 50-56)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Fette with the method of Dabney and Hason in order to free up storage space on the server.

However, Dabney Hanson, and Fette fail to teach determine whether the story concept includes content that meets a predetermined criteria set by a party separate from the collaborator and deleting the story concept if the content fails to meet the predetermined criteria.

Making the story concept available, if the content meets the predetermined criteria;

Lang teaches filtering information based on the content standard predetermined by the client or the community. (column 5, lines 1-40, column 18, lines, the process of filtering is the same process of determining whether the information includes the content that meets a predetermined criteria)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Lang with the method of Dabney, Hason and Fette in order to filter out information automatically based on the standard set by the users.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Dabney et al., U.S. Patent No. 6,643,663 in view Hanson 6,457,045 further in view of Fette et al. U.S. Patent 6,052,600 further in view of Lang et al. US Patent No. 5,867,799 further in view of Plantz et al., U.S. Patent No. 6,088,702.

As per claim 7, which is dependent on claim 6, Dabney Hanson, Fette, and Lang teach the method of claim 6. They do not teach notifying the editor when the content is received and posted for review by the editor. Plantz et al. teach notifying the editor when the content is received and posted for review by the editor. (see Plantz et al. column 10, lines 15 – 20). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Plantz et al. with the method of Dabney Hanson, Fette, and Lang in order to notify the editor which work by the authors is complete and which work await editing.

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As per claim 8, which is dependent on claim 6, Dabney Hanson, Fette, and Lang teach the method of claim 6 (see rejection above). Dabney Hanson, Fette, and Lang do not teach receiving a list of editors for the use including notifying the editors of a receipt of a story concept. Plantz et al. teach receiving a list of editors for the use including notifying the editors of a receipt of a story concept. (see Plantz et al., column 11, lines 24 – 26). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Plantz et al. with the method of Dabney Hanson, Fette, and Lang in order to facilitate editor assignment.

Claims 11 – 13, 19 – 21, 27, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Dabney et al., U.S. Patent No. 6,643,663 in view Hanson 6,457,045 in view of Fette U.S. Patent 6,052,600 further in view of Lang et al. US Patent No. 5,867,799 further in view of Mullins, U.S. Patent No. 5,100,154

As per claim 11, which is dependent on claim 1, Dabney Hanson, Fette, and Lang teach the method of claim 1 (see rejection above). Dabney Hanson, Fette, and Lang do not teach determining a reward for one or more of the multiple collaborators. Mullins teaches determining a reward for one or more of the multiple collaborators (see Mullins, column 6, lines 9 – 13). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney Hanson, Fette, and Lang in order to allow users to reward for the quality of a participant's submissions.

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As per claim 12, which is dependent on claim 11, Dabney Hanson, Fette, and Lang teach the method of claim 11 (see rejection above). Dabney Hanson, Fette, and Lang do not teach wherein determining a reward further comprises: requesting a vote from each viewer of the story; and counting the votes. Mullins teaches wherein determining a reward further comprises: requesting a vote from each viewer of the story; and counting the votes (see Mullins, column 6, lines 1 – 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney Hanson, Fette, and Lang in order to facilitate participation and creativity of participants.

As per claim 13, which is dependent on claim 11, Dabney Hanson, Fette, and Lang teach the method of claim 11 (see rejection above). Dabney Hanson, Fette, and Lang do not teach wherein the reward is based on a category for the story. Mullins teaches the method wherein the reward is based on a category for the story (see Mullins, column 6, lines 9 – 11). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney Hanson, Fette, and Lang in order to allow users to reward for the quality of a participant's submissions.

As per claim 19, it is of similar scope to claim 11, and is rejected under the same rationale as claim 11.

As per claim 20, which is dependent on claim 19, it is of similar scope to claim 12, and is rejected under the same rationale as claim 12.

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As per claim 21, which is dependent on claim 19, it is of similar scope to claim 13, and is rejected under the same rationale as claim 13.

As per claim 27, which is dependent on claim 22, Dabney Hanson, Fette, and Lang teach the method of claim 22 (see rejection above). Dabney Hanson, Fette, and Lang do not teach requesting votes from viewers of the story and determining a reward based on votes received in response to the request. Mullins teaches requesting votes from viewers of the story and determining a reward based on votes received in response to the request (see Mullins, column 6, lines 1 – 13). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney Hanson, Fette, and Lang in order to facilitate participation and creativity of participants.

As per claim 30, which is dependent on claim 28, it is of similar scope to claim 27 and is rejected under the same rationale.

Response to Argument

Applicant's arguments filed on 11/21/06 have been fully considered but they are not persuasive.

Applicant's argument focused on the following:

1) Debney, Hanson, and Fette fail to teach deleting content if multiple collaborators have failed to approve the content.

Examiner disagrees:

1) Examiner disagrees because the combination of Debney, Hanson, and Fette teach deleting content if multiple collaborators have failed to approve the content. Fette teaches

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deleting the content if it is not approved^{ed} (column 9, lines 50-56); and in Hanson, the content is approved only when it receives approval from multiple collaborators. (column 2, lines 64-column 3, lines 48) Therefore, the combination of Fette and Hanson teaches deleting content if multiple collaborators have failed to approve the content.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Peng Ke

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Kristine Kincaid

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